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Attorneys for Defendants,  
Ernest Johnson and Jowa Tax and Finance, Inc.

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ERLINDA ZACARIAS; ERLINDA  
ZACARIAS as parent and guardian of  
B.Z.; FRANCISCO ROCHA,

Plaintiffs,

vs.

ERNEST JOHNSON; JOWA TAX AND  
FINANCE, INC.; DOES 1 through 10;  
ROE CORPORATIONS 11-20, inclusive,

Defendants.

Case No. 2:22-cv-00595-JCM-NJK

**DEFENDANTS ERNEST  
JOHNSON AND JOWA TAX AND  
FINANCE, INC.'S STATEMENT  
OF REMOVAL**

Defendants, ERNEST JOHNSON AND JOWA TAX AND FINANCE, INC.  
(hereinafter "DEFENDANTS"), by and through their attorneys of record, Lucian J.  
Greco, Jr., Esq., Devin R. Gifford, Esq., and Matthew J. Cook, Esq., of the law firm  
BREMER WHYTE BROWN & O'MEARA, LLP, hereby submits the following  
Statement of Removal.

**1. The date on which you were served with a copy of the Summons and  
Complaint.**

Response: On January 13, 2022, Plaintiffs Erlinda Zacarias, Erlinda Zacarias as parent and guardian of B.Z. (a minor whose name has been redacted from the Statement of Removal and the attached Exhibits), and Francisco Rocha who is not a minor (hereinafter collectively referred to as “Plaintiffs”) served Defendant Jowa Tax and Finance, Inc. with the Summons and Complaint. On February 7, 2022, Plaintiffs served Defendant Ernest Johnson with the Summons and Complaint via the State of Nevada Department of Motor Vehicles. Personal addresses, date of birth information, telephone numbers, driver license numbers, driver plate numbers, and voter registration identification numbers have also been redacted from Exhibit A.

**2. Is removal based on diversity jurisdiction, the names of any served defendants who are citizens of Nevada, the citizenship of the other parties, and a summary of defendant’s evidence of the amount in controversy.**

Response: Plaintiffs were residents of Nevada. Defendant Ernest Johnson was a resident of Texas. Defendant Jowa Tax and Finance, Inc. was incorporated in and had its principal place of business in Texas.

**3. If your notice of removal was filed more than 30 days after you first received a copy of the summons and complaint, the reason removal has taken place at this time and the date you first received a paper identifying the basis for removal.**

Response: On March 14, 2022, Plaintiffs filed their Petition for Exemption from Arbitration indicating an amount in controversy above \$75,000.00, exclusive of interest and costs. Moreover, Erlinda Zacarias claims \$151,686.41 in past medical specials; Erlinda Zacarias as parent and guardian of B.Z. claims \$18,190.00 in past medical specials; and Francisco Rocha claims \$77,587.38 in past medical specials. Upon the filing of the Petition for Exemption from Arbitration, Defendants learned that the amount in controversy exceeded the \$75,000.00 threshold for Diversity Jurisdiction.

1 **4. In actions removed on the basis of the court's jurisdiction in which the state**  
2 **court action was commenced more than one year before the date of**  
3 **removal, the reasons this action should not summarily be remanded to the**  
4 **state court.**

5 Response: Inapplicable.

6 **5. The name of any defendant known to have been served before you filed the**  
7 **notice of removal who did not formally join in the notice of removal and**  
8 **the reasons they did not.**

9 Response: None.

10  
11 Dated: April 13, 2022


BREMER WHYTE BROWN & O'MEARA  
LLP

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13  
14 By: 

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Attorneys for Defendants,  
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Finance, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 13<sup>th</sup> day of April 2022, a true and correct copy of the foregoing document was electronically delivered to CM/ECF for filing and service upon all electronic service list recipients.

  
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Nicara Brown, an employee of  
BREMER WHYTE BROWN &  
O'MEARA, LLP